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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HIEN VI TU,

10 Petitioner,

Case No. C10-1362-RSL

11 v.

12 RON VAN BOENING,

13 Respondent.

ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS

14 The Court, having reviewed petitioner's petition for writ of habeas corpus, the briefs of
15 the parties, the Report and Recommendation of James P. Donohue, United States Magistrate
16 Judge, and the remaining record, does hereby find and ORDER:

- 17 1. The Court adopts the Report and Recommendation.
- 18 2. Petitioner's petition for writ of habeas corpus (Dkt. No. 5) is DENIED and this
19 action is DISMISSED with prejudice.
- 20 3. In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
21 United States District Courts, a certificate of appealability is DENIED with respect
22 to all three claims asserted by petitioner in his federal habeas petition.
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1 4. The Clerk shall send copies of this Order to petitioner, to counsel for respondent,
2 and to Judge Donohue.

3 DATED this 13th day of June, 2011.
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7 ROBERT S. LASNIK
8 United States District Judge
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